

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fox et al.

Serial No.: 10/584,358

Filed: June 23, 2006

For: A SYSTEM FOR WATER
TREATMENT

Confirmation No.: Unknown

Examiner: Unknown

Group Art Unit:

Attorney Docket No.: 3276-7872US

VIA ELECTRONIC FILING

October 16, 2007

RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Renewed Petition Under 37 C.F.R. 1.47(b) is being submitted in response to the Decision mailed on May 16, 2007 which dismissed, without prejudice, a Petition by Person Having Proprietary Interest to File Application on Behalf of Inventors Who Refuse to Sign or Cannot be Found under 37 C.F.R. 1.47(b). The two month deadline to respond to the Decision was July 16, 2007, and this Renewed Petition is being filed with a Petition for Extension of Time Under 1.136(a) and the required fee.

The Dismissal was based on the fact that petitioner had not established that a bona fide attempt was made to present a copy of the application papers to the inventors. Also, the

Declaration for Patent Application with Power of Attorney signed by the 1.47(b) applicant was found to be improper because it did not contain the name of the person signing the document.

Attached are Declarations signed by myself, and Nancy Johnson, a paralegal employed by the firm of TraskBritt, which show that the Declaration for Patent Application with Power of Attorney was delivered to each of inventors at their last known address pursuant to MPEP 409.03(d). Also, the Declarations detail additional communications with the inventors made by myself and Ms. Johnson.

The Declaration of Ms. Johnson details a telephone conversation with John Fox in which he refused to take any action with regard to the Declaration for Patent Application with Power of Attorney.

With regard to Errol O'Brien, attached to my Declaration is a letter from Mr. O'Brien in which he refuses to sign the Declaration for Patent Application with Power of Attorney. I have also attached the preceding correspondence with Mr. O'Brien to detail our attempts to answer Mr. O'Brien's questions and provide documents acceptable to him.

Also enclosed is a replacement Declaration for Patent Application (With Power of Attorney) signed by the 1.47(b) applicant which contains the name of the person who executed the Declaration. This Declaration replaces the one previously submitted and found to be improper by the Examiner.

Respectfully submitted,



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Document in ProLaw